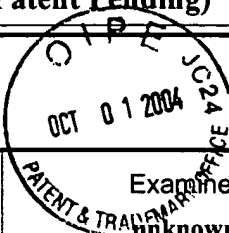


TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
112300-1885

In Re Application Of: Enderlein et al.

Application No.
10/501,595Filing Date
July 12, 2004Examiner
unknownCustomer No.
29177Group Art Unit
unknownConfirmation No.
unknownTitle: METHOD FOR ANONYMOUS IDENTIFICATION OF THE PROFILES OF SUBSCRIBERS IN A
COMMUNICATION SYSTEM AND CORRESPONDING MODULECOMMISSIONER FOR PATENTS:

Transmitted herewith is:

General Transmittal (in duplicate); Petition under 37 C.F.R. 1.10(d) (3 pages) plus (Exhibits 1-5); and a postcard
that we ask you to date-stamp and return.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Signature

Dated: September 28, 2004

Patrick B. Law
Reg. No. 41,549
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 781-6801
Fax: (312) 345-9960I certify that this document and fee is being deposited
on Sept. 28, 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.
Signature of Person Mailing Correspondence

Renee Street

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Enderlein et al.
Appl. No.: 10/501,595
Filed: July 12, 2004
Title: METHOD FOR ANONYMOUS IDENTIFICATION OF THE PROFILES OF
SUBSCRIBERS IN A COMMUNICATION SYSTEM AND
CORRESPONDING MODULE

Docket No.: 112740-979

RECEIVED

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

9 NOV 2004

Legal Staff
International Division

PETITION UNDER 37 C.F.R. 1.10(d)

Sir:

The above-referenced application was filed with the United State Postal Service (hereinafter "USPS") using "Express Mail Post Office to Addressee" service of the USPS. However, the USPS incorrectly noted the "date-in" on the Express Mail" mailing label as July 14, 2004, instead of the correct date of July 12, 2004. Thus, the United States Patent and Trademark Office (hereinafter "USPTO") assigned an incorrect filing date of July 14, 2004. Accordingly, the Applicants petition the USPTO herein under 37 C.F.R. 1.10(d) to have the filing date corrected based on the following evidence.

Attached hereto as Exhibit 1 is a true and correct copy of the "Express Mail" mailing label showing a "date-in" of July 14, 2004, the label being entered into the Applicant's representative's file on July 13, 2004 with tracking number EV 3512000551, which was clearly marked on the "Certificate of Mailing by Express Mail Under 37 CFR 1.10" and "Transmittal letter" accompanying the present application and place there prior to mailing by "Express Mail", true and correct copies being attached as Exhibit 2. Attached hereto as Exhibit 3 is a print out of the shipping details of the above tracking number from the United States Postal Service (USPS) website evidencing receipt of the above-referenced application with the USPS in Chicago on July 12, 2004, at 7:33 p.m. and further evidencing, the USPTO's physical receipt of the above-referenced application on July 14, 2004 at 9:24 a.m. in Alexandria, Virginia. Also attached

hereto as Exhibit 4 is a true and correct copy of the Daily Express Mail Processing Log for July 12, 2004 of the Applicant's representative's evidencing the same tracking number was used in Express mailing of the applications (identified by the Applicant's representative's docket number) in the submission of the above-referenced application on July 12, 2004 to the USPTO using USPS Express Mail. Finally, attached hereto as Exhibit 5 is a true and correct copy of a postcard receipt from the USPTO showing the incorrect filing date of July 14, 2004 accorded to the present application.

In light of the foregoing, the Applicants submit this petition respectfully requesting the Director to: 1) correct the filing date for the above-referenced application to properly reflect July 12, 2004; and thereafter, 2) allow the above-referenced application to proceed with examination.

STATEMENT OF FACTS

The Applicants recently became aware that the above-referenced application was incorrectly assigned a filing date of July 14, 2004, and thereby will be considered abandoned by the USPTO. Upon investigating this issue further, Applicants have located the shipping details associated with the submission of the above-referenced application and have provided a copy attached hereto as Exhibit 3. Furthermore, Applicants have provided as Exhibit 4 attached hereto the Daily Express Mail Processing Log from July 12, 2004 evidencing the assignment of tracking number EV 351200551 by the USPS to the original submission of the above-referenced application. Exhibits 3 and 4 clearly demonstrate receipt by the USPS of the original submission of the above-referenced application on July 12, 2004 at 7:33 p.m. in Chicago, Illinois.

In addition, attached hereto as Exhibit 2 is a true and correct copy of the "Certificate of Mailing by Express Mail Under 37 CFR 1.10" and "Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 accompanying the original submission, evidencing both the Express Mail Label No. of EV 351200551, and a submission date of July 12, 2004.

In consideration of Exhibits 2-4, and 37 C.F.R. 1.10(d), Applicants hereby respectfully petition the Director to correct the filing date of for the above-referenced application to July 12, 2004, and thereafter, allow the above-referenced application to proceed with examination.

Applicants respectfully submit that by this petition, Applicants have provided a brief statement of facts, and points to be reviewed sufficient to allow the Director to grant the actions requested. In addition, Applicants respectfully request the Director to contact the undersigned Applicant's attorney directly so that proper action can be taken, if for any reason, the Director anticipates that this petition and its exhibits are not sufficient to grant the actions requested.

CONCLUSION

For the foregoing reasons, Applicants respectfully request the Director to correct the filing date for the above-referenced application to properly reflect the date of July 12, 2004, and thereafter, allow the above-referenced application to proceed to examination.

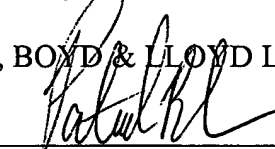
Applicants hereby declare all statements made herein are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Also included with this petition is a return receipt postcard. Additionally, to the extent any fees are due in connection with this petition, please charge Deposit Account No. 02-1818 for any fees that may be due.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


Patrick B. Law
Reg. No. 41,549
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 781-6801
Fax: (312) 345-9960

Dated: September 28, 2004

Customer Copy
Label 11-F, June 2002



EV 351200551 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 60607A	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date 7/14/04	Postage 1785	
Mo. Day Year 7 14 04	<input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	\$
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight 17.4	Int'l Alpha Country Code	COD Fee Insurance Fee
No delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials [Signature]	Total Postage & Fees 1785

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

☐ WAFER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if no signature is requested. (If delivery is to be made without obtaining signature of addressee, addressee's Agent (if delivery employee judges that article can be left in secure location) and authorize that delivery employee's signature constitutes valid proof of delivery.)

NO DELIVERY ☐ Weekend ☐ Holiday

Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:
Express Mail (Corporate Acct. No.)

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ()

BELL BOYD & LLOYD
PO BOX 1135
CHICAGO

IL 60690-1135

TO: (PLEASE PRINT)

PHONE ()

MAIL STOP **PCT**
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PO BOX 1450
ALEXANDRIA

VA 22313-1450

112740-979 PZL

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JUL 13 2004

ATTY: **PZL**

DOCKET #: **112740-979**

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Enderlein et al.
Appl. No.: Unknown
Int'l Application No.: PCT/DE03/00067
Conf. No.: Unknown
Filed: July 12, 2004
Int'l Filing Date: July 1, 2003
Title: METHOD FOR ANONYMOUS IDENTIFICATION OF THE PROFILES OF
SUBSCRIBERS IN A COMMUNICATION SYSTEM AND A
CORRESPONDING MODULE
Art Unit: Unknown
Examiner: Unknown
Docket No.: 112740-979

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter US Designated/Elected Office (duplicate);
2. International Application (19 pages);
3. International Search Report (3 pages);
4. English translation of International Application (14 pages);
5. Preliminary Amendment (31 pages);
6. Declaration and Power of Attorney (12 pages);
7. Assignment (4 pages);
8. Recordation Cover Sheet (1 page);
9. Check in the Amount of \$960.00; and
10. Return Receipt Postcard.

EV351200551US

Appl. No. Unknown
Int'l Application No.:
Int'l App. No. PCT/EP02/04339

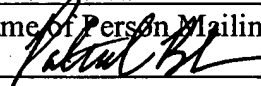
are being deposited with the United States Postal Service with sufficient postage as
Express Mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 12, 2004.

Respectfully submitted,
BELL, BOYD & LLOYD LLC

Patrick B. Law
Name of Person Mailing Correspondence


Signature

EV 351200551 US
Express Mail Mailing Label Number

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 11-2000)		ATTORNEY'S DOCKET NUMBER 0112740
TRANSMITTAL LETTER THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR Unknown
INTERNATIONAL APPLICATION NO. PCT/DE03/00067	INTERNATIONAL FILING DATE July 1, 2003	PRIORITY DATE CLAIMED
TITLE OF INVENTION Method for Anonymous Identification of the Profiles of Subscribers in a Communication System and Corresponding Module		
APPLICANT(S) FOR DO/EO/US Enderlein et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). <p>Items 13 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input checked="" type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV 351200551 US</u> 23. <input type="checkbox"/> Other items or information: 		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <div style="text-align: center;">Unknown</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/DE03/00067</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">0112740-979</div>																				
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>		<div style="text-align: center;">CALCULATIONS PTO USE ONLY</div>																				
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30		<div style="text-align: right;">\$920.00</div>																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:25%;">NUMBER FILED</th> <th style="width:25%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>12 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$0.00</td> </tr> <tr> <td>Independent claims</td> <td>2 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="4">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td>\$0.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	12 - 20 =	0	x \$18.00	\$0.00	Independent claims	2 - 3 =	0	x \$86.00	\$0.00	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	<div style="text-align: right;">\$0.00</div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	12 - 20 =	0	x \$18.00	\$0.00																		
Independent claims	2 - 3 =	0	x \$86.00	\$0.00																		
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00																		
TOTAL OF ABOVE CALCULATIONS =		\$920.00																				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		<div style="text-align: right;">\$0.00</div>																				
SUBTOTAL =		\$920.00																				
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30		<div style="text-align: right;">\$0.00</div>																				
TOTAL NATIONAL FEE =		\$920.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>		<div style="text-align: right;">\$40.00</div>																				
TOTAL FEES ENCLOSED =		\$960.00																				
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$960.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-1818</u> d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Amount to be: refunded</td> <td style="width:40%;">\$</td> </tr> <tr> <td>charged</td> <td>\$</td> </tr> </table>	Amount to be: refunded	\$	charged	\$																
Amount to be: refunded	\$																					
charged	\$																					
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 5px;"> Patrick B. Law Reg. No. 41,549 Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, Illinois 60690-1135 Telephone: (312) 781-6801 </div> </div> <div style="width: 50%; text-align: right;"> <div style="text-align: center;"> SIGNATURE </div> <div style="text-align: center;"> Patrick B. Law NAME </div> <div style="text-align: center;"> <u>41,549</u> REGISTRATION NUMBER </div> <div style="text-align: center;"> <u>July 12, 2004</u> DATE </div> </div> </div>																						

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Track & Confirm

Shipment Details

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Your item was delivered at 9:24 am on July 14, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

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- ARRIVAL AT UNIT, July 14, 2004, 8:25 am, DULLES, VA 20102
- ENROUTE, July 12, 2004, 7:42 pm, CHICAGO, IL 60607
- ACCEPTANCE, July 12, 2004, 7:33 pm, CHICAGO, IL 60607

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DAILY EXPRESS MAIL PROCESSING LOG

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In re Patent Application of Enderlein et al.
**Method for Anonymous Identification of the Profiles of
Subscribers in a Communication System and a
Corresponding Module**

Docket No. 0112740-979; Filed July 12, 2004

On the date stamped hereon the U.S. Patent & Trademark Office
hereby acknowledges the receipt of the following:

1. Transmittal Letter US Designated/Elected Office (duplicate);
2. International Application (19 pages);
3. International Search Report (3 pages);
4. English translation of International Application (14 pages);
5. Preliminary Amendment (30 pages);
6. Declaration and Power of Attorney (12 pages);
7. Assignment (4 pages);
8. Recordation Cover Sheet (1 page);
9. Check in the Amount of \$960.00; and
10. Return Receipt Postcard.

10/501595

Mailed on July 12, 2004 via Express Mail (PZL)

0103 Rec'd PCT/PTO 14 JUL 2004

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BELL, BOYD & LLOYD
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JUL 27 2004

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DOCKET # 112740-979

979